

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter U.S. Trademark Registration No. 3,518,997

For the mark: MANNY POPPINS

#77209269

Date Registered: October 21, 2008

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NANNY POPPINS, LLC	.,	:
Petitioner,		:
		Cancellation No.
v.		:
Bassman, Thomas A.,		:
Respondent.		:
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PETITION TO CANCEL

Nanny Poppins, LLC ("Petitioner") having its current place of
 business at 4 Rex Lane Acton, MA. 01720 has been and believes it



10-10-2013

will continue to be damaged by the continued registration of the mark shown in United States Trademark Registration No. 3,518,997 registered in the name of **Bassman, Thomas A.**, (“Respondent”) and hereby seeks cancellation of this registration.

As grounds for the cancellation, Petitioner Alleges:

1. Prior to Registrant’s claimed date of first use, Petitioner and its predecessors in interest have been using the mark NANNY POPPINS alone and in conjunction with other terms and symbols, as servicemarks (“Petitioner’s Marks”) in connection with the sale of Job placement, referral, and employment agency services in the fields of babysitters, nannies, and child care professionals (“Petitioner’s Services”).
2. Since at least as early as December of 1995, Petitioner and its predecessors in interest have been continuously using Petitioner’s Marks in interstate commerce.
3. Petitioner is the owner of pending U.S. Trademark Application Serial No. 77/308325, for the mark NANNY POPPINS for Job

placement, referral, and employment agency services in the fields of babysitters, nannies, and child care professionals filed October 19, 2007.

4. Registrant's alleged date of first use of the MANNY POPPINS mark is June of 2007.
5. On September 3, 2013, an office action was issued and registration of Petitioner's mark was refused citing an alleged likelihood of confusion with the mark in the '997 Registration.
6. Since well prior to the filing date of the '997 Registration, Petitioner has continuously been using Petitioner's Marks in connection with Petitioner's Services.
7. The continued registration and use of MANNY POPPINS by Respondent is likely to injure Petitioner by preventing the registration of Petitioner's trademark NANNY POPPINS.
8. The continuous registration of the subject of the '997 Registration is causing injury to Petitioner's business plans, is impairing Petitioner's rights in its Marks, is inconsistent with

Petitioner's rights, and will continue to cause injury to
Petitioner until the registration is canceled.

WHEREFORE, Petitioner prays that U.S. Registration No.
3,518,997 be canceled immediately, and that this Petition for

Cancellation be sustained in favor of Petitioner, with costs and legal fees awarded, if appropriate, pursuant to the Federal Rules of Civil Procedure and the Rules of the USPTO and the TTAB.

Please direct all correspondence relating to this matter to Jennifer Bouchard at the address shown below.

Dated: October 10, 2013

Respectfully Submitted,

NANNY POPPINS, LLC

Petitioner

4 Rex Lane

Acton, MA. 01720

(617) 697 - 0052

CERTIFICATE OF SERVICE

I, Jennifer Bouchard, Jennifer Bouchard hereby certify
that a true and complete copy of the foregoing Petition to Cancel has
been served to Registrant by mailing said copy by first class mail on
10/10/13 to the following address:

Thomas Bassman

2200 Diana Dr Apt 108

Hallandale Beach, FL 33009-4702